

THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

FILED
CENTRAL DIVISION COURT

***** 2008 DEC 18 A 11:31 *****

GEORGE DON GALLOWAY

Case No. 2:98CV00361 DS

Plaintiff,

BY: _____
DEPUTY CLERK

vs.

MEMORANDUM ORDER
ADDRESSING PLAINTIFF'S
MOTION TO RECONSIDER

UNITED STATES OF AMERICA

Defendant.

On May 20, 1998 Mr. Galloway filed a § 2255 Motion to Vacate, which was determined to be a successive motion and was transferred to the 10th Circuit Court of Appeals. The 10th Circuit denied authorization to file the successive § 2255. On February 15, 2008, almost *ten years later*, Mr. Galloway filed this Rule 60(b)(6) Motion for Reconsideration. Rule 60(c) makes it very clear that these types of motions must be made within a reasonable time and no more than a year after the entry of the judgment or order or date of the proceeding. Ten years is far outside the one year limit. For this reason, Mr. Galloway's Motion to Reconsider is denied.

SO ORDERED.

DATED this 17th day of December, 2008

BY THE COURT:

David Sam

DAVID SAM
SENIOR JUDGE
U.S. DISTRICT COURT